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EXAMINER
JAKOVAC, RYAN J

ART UNIT	PAPER NUMBER
4121	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)
Office Action Summary		10/783,133	KAEHN ET AL.
		Examiner	Art Unit	
		RYAN J. JAKOVAC	4121	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*12/18/2007*</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>*1-18*</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>*1-18*</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>*21 June 2004*</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Claims 1-3, 12, 13, and 18 have been amended. Claims 1-18 have been examined and are pending.

        Applicant's amendment filed 12/18/2007 necessitated the new ground(s) of rejection presented in this Office Action. Therefore, applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

        Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claim 1-17 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 2002/0169889 to Yang in view of U.S. 2002/0112034 to Feik.

With respect to claim 1, Yang discloses a data switching system for directing requests to initiate a new operation of an executable application (paragraph [0060] The Apache server directs requests to initiate a new operation of an executable application) comprising:

a switch processor (paragraph [0060] Apache server can be considered a switch processor) for,

parsing received data representing a received URL to identify whether said received URL is associated with a request to initiate an operation session of an executable application (paragraph [0060] parsing of said data representing an URL associated with a request to initiate an operation session), and if said received URL is associated with a request to initiate an operation session,

initiating a data access request at a second URL address hosted by a particular server (paragraph [0060] "…(4) checks authorization,…(6) processes the request"); and

in response to receiving a response indicating failure of said data access request at said second URL address hosted by said particular server, said failure resulting from a change of destination address stored in said particular server made (Yang, paragraph [0025] discloses that failing requests are directed to continue processing on another server. Yang paragraph [0032] discloses network administrator accessing the URL table to access configuration of destinations (i.e. changing destination address of server). Therefore Yang discloses indicating failure of an access request resulting from a change of destination address stored in the server), Yang does not expressly disclose but Feik teaches without accessing said switch processor (Feik discloses in paragraph

[0110-0113] Discloses a system where a cluster of servers (paragraph [0052]) operate behind a web gateway (i.e. switch processor). The web application server is updated directly by a central administration server (Fig. 5). Furthermore, a response indicating failure is represented as an output of "being processed" while the file on the web application server is being updated by the central administration server (i.e. said failure resulting from a change of destination address stored in said particular server made without accessing said switch processor). Feik also discloses a data transfer directly between the Central Administration Server and the Web Application Server (data transfer 134 of Fig. 5)).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to combine in response to receiving a response indicating failure of said data access request at said second URL address hosted by said particular server, said failure resulting from a change of destination address stored in said particular server made without accessing said switch processor as taught by Feik with the data switching system of Yang in order to be able to provide the ability to directly access and update data in a server with external data (Feik, paragraph [0011-0013]).

With respect to claim 2, the combination of Yang and Feik teaches the system according to claim 1, wherein said change of destination address stored in said particular server comprises change of file name of said particular server (Yang discloses in paragraph [0032] changing destination addresses by accessing the URL table. The destination address stored in the particular server is the corresponding link

from the URL table. When this link is changed, the destination address of the server is changed along with the file name.) Furthermore, Feik as previously described in (Feik paragraph [0011-0013]) discloses updating a file in a web server (i.e. changing destination address and file name) and

said received URL is at least one of, (a) the same as said second URL and (b) different to said second URL. (said received URL can be the same or different to said second URL since Yang discloses URL table to assign incoming requests to web servers in paragraph [0052]. Furthermore, "the dispatcher 130 consults the URL table when assigning an incoming request to one of the back-end servers" paragraph [0031])

With respect to claim 3, the combination of Yang and Feik teaches the system applied to claim 1, wherein in response to receiving a response indicating failure of said data access request at said second URL address hosted by said particular server, directing said request to initiate said operation session of said executable application to a server other than said particular server (Yang, paragraph [0025] Failing requests are directed to continue processing on another server.) and in response to receiving a response indicating success of said data access request at said second URL address hosted by said particular server, directing said request to initiate said operation session of said executable application to said particular server (Yang paragraph [0060] "...(4) checks authorization,...(6) processes the request, (7) sends response back to client").

With respect to claim 4, the combination of Yang and Feik teaches the system according to claim 1, wherein said failure response results from a user changing a destination address stored in said particular server, said destination address corresponding to said second URL address, said failure indicating said particular server is not accepting requests to initiate an operation session of an executable application (Yang, paragraph [0032] network administrator accesses the URL table to access configuration of destinations).

With respect to claim 5, the combination of Yang and Feik teaches the system according to claim 1 wherein said switch processor (Yang, paragraph [0035] the dispatcher 130),

parses data representing a URL to identify whether a URL is associated with a data request of a first or different second type (Yang, paragraph [0035] the dispatcher parses the request and consults the URL table), and processes said URL associated data request of a first type differently to a URL associated data request of a second type (Yang, paragraphs [0041] – [0042] requests for static content (images), and dynamic content (APSs) are processed differently than static content HTML.).

With respect to claim 6, the combination of Yang and Feik teaches the system according to claim 5, wherein said switch processor (Yang, paragraph [0031] the dispatcher) parses data representing a URL associated data request is of a first type by determining if a URL data field identifies a server (Yang, paragraph [0031] the

dispatcher consults the URL table when assigning an incoming request to one of the back-end servers).

With respect to claim 7, the combination of Yang and Feik teaches the system according to claim 6 wherein said switch processor parses data representing a URL to identify whether a URL associated data request is of a first type by determining if a URL data field contains an ASP extension (Yang, paragraph [0035] The dispatcher identifies the type of each request including requests for dynamic content which includes ASPs).

With respect to claim 8 the combination of Yang and Feik teaches the system according to claim 1, wherein said switch processor parses data representing a URL to identify whether a URL is stateless (Yang, paragraph [0035] The dispatcher identifies the type of each request including requests for static content and session based content).

With respect to claim 9, the combination of Yang and Feik teaches the system according to claim 8 wherein
said switch processor determines if a URL is stateless by determining if a URL data field contains at least one of, (a) a .gif extension, (b) a .js extension (c) a .jpeg extension and (d) a .html extension (The dispatcher 130 determines the type of request, Yang, paragraph [0035]. The dispatcher processes images and html files as static content. Paragraph [0037]).

With respect to claim 10, the combination of Yang and Feik teaches the system according to claim 1 wherein said switch processor redirects a stateless data request directed to said particular server to a server different to said particular server in response to receiving a response indicating failure of said data access request at said second URL address hosted by said particular server (Yang, paragraph [0025] Failing web requests are directed to continue processing on another server).

With respect to claim 11, the combination of Yang and Feik teaches the system according to claim 1 wherein a URL associated data request of a first type is performable by a particular server and a URL associated data request of a second type is performable by a plurality of different servers (Yang, paragraph [0037] requests are routed to different nodes in the server cluster depending on the type of request).

With respect to claim 12, Yang teaches a system enabling a user to reduce workload of a server to support maintenance of said server, comprising:

an interface processor in a particular server (Yang, paragraph [0028] the dispatcher 130) for

changing a destination address stored in said particular server from a first destination address to a second destination address (Yang, paragraph [0031] the dispatcher 130 takes the incoming request and maps it to a back-end server using a URL table) Yang does not expressly disclose but Feik teaches without accessing a

remote switch processor, in response to user command, said change to said second

destination address being used to identify said particular server is unavailable for

initiation of new operation sessions of applications (Feik in paragraph [0110-0113]

discloses a system where a cluster of servers (paragraph [0052]) operate behind a web

gateway (i.e. switch processor). The web application server is updated directly by a

central administration server (i.e. without accessing remote switch processor) as

disclosed in Fig. 5. Furthermore, when the file on the server is being updated it is

marked as "being processed" while the file on the web application server is being

updated by the central administration server (i.e. indicating unavailable). Feik also

discloses a data transfer directly between the Central Administration Server and the

Web Application Server (data transfer 134 of Fig. 5)), receiving a URL request to access

data at said first destination address from said switch processor, determining said URL

request to access data cannot be accomplished because of said changed destination

address (Yang, paragraph [0025] the data request cannot be accomplished at the

particular destination address and is taken up by the recovery mechanism and rerouted

to another server) and

initiating communication of a message identifying failure of said data access

request to said switch processor (Yang, paragraph [0024] Yang teaches sending a

message identifying failure. For each of the user's requests, the dispatcher assigns said

request to a selected server and the outgoing response information of said data access

request is relayed back to the client by the dispatcher 130).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of invention to combine without accessing a remote switch processor, in response to

user command, said change to said second destination address being used to identify

said particular server is unavailable for initiation of new operation sessions of

applications as taught by Feik with the system of Yang in order to provide the ability to

directly access and update data in a server with external data (Feik, paragraph [0011-

0013]).

With respect to claim 13, the combination of Yang and Feik teaches the system

according to claim 12 wherein said change of destination address stored in said

particular server comprises change of file name of said particular server (Yang

discloses in paragraph [0032] changing destination addresses by accessing the URL

table. The destination address stored in the particular server is the corresponding link

from the URL table. When this link is changed, the destination address of the server is

changed along with the file name.) Furthermore, Feik as previously described in (Feik

paragraph [0011-0013]) discloses updating a file in a web server (i.e. changing

destination address and file name) and said message identifying failure of said data

access request indicates said particular server is unavailable for initiation of new

operation sessions of applications (Yang, paragraph [0024] for each of the user's

requests, the dispatcher assigns said request to a selected server and the outgoing

response information indicating that the server is unavailable and that the request has
been re-routed is relayed back to the client by the dispatcher 130).

   With respect to claim 14, the combination of Yang and Feik teaches a system
according to claim 12, wherein said interface processor parses data representing a URL
to identify whether a URL associated data request is associated with a previously
initiated operation session of an application (Yang, paragraph [0051 -0052] the
dispatcher 130 takes an incoming request and parses the URL table to tag the start and
end of the client session and directs all subsequent requests from the client
accordingly).

   With respect to claim 15, the combination of Yang and Feik teaches a system
according to claim 12, wherein said interface processor terminates a previously initiated
operation session of an application in response to a timeout command (Yang,
paragraph [0049] when a failure occurs on a web server, the end user experiences a
timeout and the session is terminated).

   With respect to claim 16, the combination of Yang and Feik teaches the system
according to claim 12, including a display generator for initiating generation of data
representing at least one display image enabling user entry of a command changing a
destination address stored in said particular server from a first destination address to a
second destination address (Yang, paragraph [0032] the network admin accesses the

URL table which is provided by a display to change a destination address stored in a

server from a first destination to a second destination).

With respect to claim 17, the combination of Yang and Feik teaches the system

according to claim 12 wherein said interface processor in said particular server changes

a destination address stored in said particular server from a second destination address

to a first destination address, in response to user command, said change to said first

destination address being used to identify said particular server is available for initiation

of new operation sessions of applications (Yang, paragraph [0024] in response to a user

request, the dispatcher 130 directs incoming requests to a selected server. paragraph

[0025] when one server fails the request is routed to another server).

3.   Claim 18 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

2002/0112014 to Bennett et al in view of Feik.

With respect to claim 18, Bennett et al. teaches a user interface system enabling

a user to reduce workload of a server to support maintenance of said server,

comprising: a display generator for initiating generation of data representing at least

one display image (paragraph [0077] an html page is displayed to the user), enabling

user entry of a command [Fig. 2, number 72, user entered information) changing a

destination address stored in a particular server from a first destination address to a

second destination address (paragraph [0077] message is sent to server Fig 2., number

86 then the routing database is consulted. Fig 2, step 88) Bennett does not expressly

disclose but Feik teaches without accessing a remote switch processor communicating

with said particular server (Feik in paragraph [0110-0113] discloses a system where a

cluster of servers (paragraph [0052]) operate behind a web gateway (i.e. switch

processor). The web application server is updated directly by a central administration

server (i.e. without accessing remote switch processor) as disclosed in Fig. 5.

Furthermore, when the file on the server is being updated it is marked as "being

processed" while the file on the web application server is being updated by the central

administration server (i.e. indicating unavailable). Feik also discloses a data transfer

directly between the Central Administration Server and the Web Application Server

(data transfer 134 of Fig. 5)) said change to said second destination address being used

to identify said particular server is unavailable for initiation of new operation sessions of

applications and in response to failure of said command (Figure 2, step 106) indicating

said failure by an indicator in said at least one display image (paragraph [00770] if there

is failure at the database an error message displayed to the user in the form of an html

page).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of invention to combine without accessing a remote switch processor communicating

with said particular server as taught by Feik with the user interface system of Bennett et

al in order to provide the ability to directly access and update data in a server with

external data (Feik, paragraph [0011-0013]).

Conclusion

Action is Final

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to RYAN J. JAKOVAC whose telephone number is

(571)270-5003. The examiner can normally be reached on Monday through Friday,

7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Taghi T. Arani can be reached on (571) 272-3787. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RJ

/Taghi T. Arani/
Supervisory Patent Examiner, Art Unit 4121
1/29/2008